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Oceans and the law of the sea: oceans and the law of the sea

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Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 55/7 of 30 October 2000, 56/12 of 28 November 2001 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea ("the Convention")[1] on 16 November 1994,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine

[1] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

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sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[2]

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Convinced of the need, building on arrangements established in accordance with the Convention, to improve coordination at the national level and cooperation and coordination at both intergovernmental and inter-agency levels, in order to address all aspects of oceans and seas in an integrated manner,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Welcoming the outcome of the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,[3]

Recalling the essential role of international cooperation and coordination in promoting the integrated management and sustainable development of the oceans and seas, and recalling also that the role of international cooperation and coordination on a bilateral basis and, where applicable, within a subregional, regional, interregional or global framework is to support and supplement the national efforts of all States, including coastal States, in promoting the implementation and observance of the Convention and the integrated management and sustainable development of coastal and marine areas,

Recalling also article 200 of the Convention,[1] in which States are encouraged to participate actively in regional and global programmes to acquire knowledge for the assessment of the nature and extent of marine pollution, and welcoming in this regard the recommendation of the World Summit on Sustainable Development to establish by 2004 a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments,[4]

Underlining once again the essential need for capacity-building to ensure that all States, especially developing countries, in particular least developed countries and small island developing States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, including through cooperation programmes with Governments, to the development of national and local capacity in marine science and the sustainable management of oceans and their resources,

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[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[3] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.1999/20), chap. I.

[4] Ibid., resolution 2, annex, para. 36 (b).

Taking note of the report of the Secretary-General,[5] and emphasizing in this regard the critical role of the annual comprehensive report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

Taking note also of the report on the work of the United Nations Open-ended Informal Consultative Process (the "Consultative Process") established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its third meeting,[6]

Reiterating its concern at the adverse impacts on the marine environment from ships, including pollution, in particular through the illegal release of oil and other harmful substances and by the dumping of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, as well as physical impacts on coral,

Welcoming resolution GC(46)/RES/9 adopted on 20 September 2002 by the General Conference of the International Atomic Energy Agency at its forty-sixth session,[7] concerning measures to strengthen international cooperation in nuclear, radiation, transport and waste safety, including those aspects relating to maritime transport safety,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the expected increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat in view of the progress in the work of the Commission on the Limits of the Continental Shelf ("the Commission") and the anticipated receipt of submissions from States, in addition to the expected growing involvement of the Division with requests for technical assistance from States and its role in inter-agency coordination and cooperation,

I. Implementation of the Convention and related agreements and instruments

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement");[8]

2. *Reaffirms* the unified character of the Convention;

3. *Calls once again upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent

[5] A/57/57 and Add.1.

[6] A/57/80.

[7] See *International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Forty-sixth Regular Session, 16-20 September 2002* (GC(46)/RES/DEC(2002)).

[8] Resolution 48/263, annex.

application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention are in conformity therewith and, otherwise, to withdraw any of their declarations or statements that are not in conformity;

4. *Encourages* States parties to the Convention to deposit with the Secretary-General charts and lists of geographical coordinates, as provided for in the Convention;

5. *Welcomes* the entry into force on 11 December 2001 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,[9] and calls upon all States that have not yet done so to become parties to it;

6. *Emphasizes* the essential need to also improve the implementation of international agreements in accordance with article 311 of the Convention and, where appropriate, to foster the conditions for the application of instruments of a voluntary nature, and recalls the important role of international organizations in achieving these goals;

II. World Summit on Sustainable Development

7. *Welcomes* the Plan of Implementation, adopted at the World Summit on Sustainable Development on 4 September 2002,[10] which once again emphasizes the importance of addressing the sustainable development of oceans and seas and provides for the further implementation of chapter 17 of Agenda 21;

8. *Welcomes also* the commitments set out in the Plan of Implementation to actions at all levels, within specific periods for certain goals, to ensure the sustainable development of the oceans, including sustainable fisheries, the promotion of the conservation and management of the oceans, enhancement of maritime safety and protection of the marine environment from pollution, and the improvement of scientific understanding and assessment of marine and coastal ecosystems as a fundamental basis for sound decision-making;

III. Meeting of States Parties

9. *Requests* the Secretary-General to convene the thirteenth Meeting of States Parties to the Convention in New York from 9 to 13 June 2003 and to provide the services required;

IV. Settlement of disputes

10. *Notes with satisfaction* the continued contribution of the International Tribunal for the Law of the Sea ("the Tribunal") to the peaceful settlement of disputes in accordance with Part XV of the Convention, underlines its important role and authority concerning the interpretation or application of the Convention and the Agreement, encourages States parties to the Convention to consider making a

[9] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[10] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (A/CONF.199/20), chap. I, resolution 2, annex.

written declaration choosing from the means set out in article 287 for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States parties to note the provisions of annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

11. *Equally pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

12. *Recalls* the obligation under article 296 of the Convention requiring all parties to a dispute before a court or a tribunal referred to in article 287 of the Convention to comply promptly with any decision rendered by such court or tribunal;

13. *Encourages* States parties to the Convention that have not yet done so to nominate conciliators and arbitrators in accordance with annexes V and VII to the Convention, and requests the Secretary-General to continue to update and circulate lists of these conciliators and arbitrators on a regular basis;

V. The Area

14. *Notes with satisfaction* the first examination by the Council of the International Seabed Authority ("the Authority") of annual reports on prospecting and exploration for polymetallic nodules in the Area submitted by contractors to the Authority;

15. *Notes* the preliminary discussion of issues relating to the regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the Area;

16. *Reiterates* the importance of the ongoing elaboration by the Authority, pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, the protection and conservation of the natural resources of the Area and the prevention of damage to its flora and fauna from harmful effects that may arise from activities in the Area;

VI. Effective functioning of the Authority and the Tribunal

17. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and appeals also to all former provisional members of the Authority to pay any outstanding contributions;

18. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[11] and to the Protocol on the Privileges and Immunities of the Authority;[12]

VII. The continental shelf and the work of the Commission

19. *Notes with satisfaction* the progress in the work of the Commission, especially that the consideration of submissions regarding the establishment of the

[11] SPLOS/25.

[12] ISBA/4/A/8, annex.

outer limits of the continental shelf beyond 200 nautical miles has begun with receipt of the first submission, made by the Russian Federation on 20 December 2001;

20. *Encourages* States parties that are in a position to do so to make every effort to make submissions to the Commission within the time period established by the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention;[13]

21. *Encourages* States and relevant international organizations and institutions to consider developing and making available training courses to assist developing States in the preparation of such submissions, based on the outline for a five-day training course[14] prepared by the Commission in order to facilitate the preparation of submissions in accordance with its Scientific and Technical Guidelines; [15]

22. *Approves* the convening by the Secretary-General of the twelfth session of the Commission in New York from 28 April to 2 May 2003, followed by two weeks of meetings of a subcommission in the event a submission is made to the Commission, and of the thirteenth session of the Commission from 25 to 29 August 2003;

VIII. Marine science and technology

23. *Stresses* the importance of the issues of marine science and technology and the need to focus on how best to implement the many obligations of States and competent international organizations under Parts XIII and XIV of the Convention, and calls upon States to adopt, as appropriate and in accordance with international law, such national laws, regulations, policies and procedures as are necessary to promote and facilitate marine scientific research and cooperation, especially those relating to consent for marine scientific research projects as provided for in the Convention;

24. *Calls upon* States, through national and regional institutions, to ensure that, in respect of marine scientific research conducted pursuant to Part XIII of the Convention in areas over which a coastal State has jurisdiction, the rights of the coastal State under the Convention are respected and that, at the request of the coastal State, information, reports, results, conclusions and assessments of data, samples and research results are made available, and access to data and samples are provided, to that coastal State;

25. *Urges* relevant bodies of the United Nations system to develop, with the Intergovernmental Oceanographic Commission acting as a focal point and, where appropriate, other competent organizations, appropriate interactions in the field of marine science with regional fisheries organizations, environmental and scientific bodies or regional centres foreseen by Part XIV of the Convention, and encourages States to strengthen existing centres and to establish, where appropriate, such regional centres;

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[13] SPLOS/72.

[14] CLCS/24.

[15] CLCS/11 and Add.1 and Corr.1.

IX. Maritime safety and security

26. *Urges* all States and relevant international bodies to cooperate to prevent and combat piracy and armed robbery at sea by adopting measures, including those relating to assisting with capacity-building, prevention, reporting and investigating incidents, and bringing the alleged perpetrators to justice, in accordance with international law, and through the adoption of national legislation, as well as through training seafarers, port staff and enforcement personnel, providing enforcement vessels and equipment and guarding against fraudulent ship registration;

27. *Calls upon* States and private entities concerned to cooperate fully with the International Maritime Organization, including by submitting reports on incidents to the organization and by implementing its guidelines on preventing attacks of piracy and armed robbery;

28. *Urges* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol,[16] invites States to participate in the review of those instruments by the Legal Committee of the International Maritime Organization to strengthen the means of combating such unlawful acts, including terrorist acts, and further urges States to take appropriate measures to ensure the effective implementation of those instruments, in particular through the adoption of legislation, where appropriate, aimed at ensuring that there is a proper framework for responses to incidents of armed robbery and terrorist acts at sea;

29. *Welcomes* initiatives at the International Maritime Organization to counter the threat to maritime security from terrorism, and encourages States to support this endeavour fully, including at the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea of 1974, held in London from 9 to 13 December 2002;

30. *Once again invites* the International Hydrographic Organization, in cooperation with other relevant international organizations and interested Member States, to provide the necessary assistance to States, in particular to developing countries, in order to enhance hydrographic capability to ensure, in particular, the safety of navigation and the protection of the marine environment;

31. *Notes* the increasing problem of unsafe transport at sea generally, and particularly in the smuggling of migrants;

32. *Urges* Member States to work together cooperatively and with the International Maritime Organization to strengthen measures to prevent the embarkation of ships involved in the smuggling of migrants;

33. *Urges* States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[17] and to take appropriate measures to ensure its effective implementation;

34. *Welcomes* the initiatives by the International Maritime Organization, the Office of the United Nations High Commissioner for Refugees and the International

[16] International Maritime Organization publication, Sales No. 462.88.12E.

[17] Resolution 55/25, annex III.

Organization for Migration to address the issue of the treatment of persons rescued at sea;

X. Capacity-building

35. *Reiterates its call* in paragraph 8 of its resolution 56/12, in line as well with the Plan of Implementation of the World Summit on Sustainable Development,[10] for reviews by the relevant international organizations and financial institutions and the donor community of the efforts to build capacity in order to identify the gaps that may need to be filled for ensuring consistent approaches, both nationally and internationally, in order to implement the Convention and chapter 17 of Agenda 21;

36. *Calls upon* bilateral and multilateral donor agencies to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

37. *Calls upon* States and international financial institutions, including through bilateral, regional and international cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training the necessary skilled personnel, providing the necessary equipment, facilities and vessels, and transferring environmentally sound technologies;

38. *Calls upon* the United Nations Environment Programme, working within the Global Resource Information Database (GRID) system for data and information management, to expand on a voluntary basis the capacity of existing GRID centres to store and handle research data from the outer continental margin, on a basis to be mutually agreed with the coastal State, and complementary to existing regional data centres, giving due regard to confidentiality needs and in accordance with Part XIII of the Convention, and making use of existing data management mechanisms under the Intergovernmental Oceanographic Commission and International Hydrographic Organization, with a view to serving the needs of coastal States, and in particular developing countries and small island developing States, in their compliance with article 76 of the Convention;

39. *Encourages* States to assist developing States, and especially least developed States and small island developing States, on a bilateral and, where appropriate, regional level, in the preparation of submissions to the Commission, including the assessment of the nature of the continental shelf of a coastal State made in the form of a desktop study, and the mapping of the outer limits of its continental shelf;

40. *Requests* the Secretary-General to compile in a uniform format a directory of sources of training, advice and expertise and technological services, including relevant institutions and other sources of technical information and practice, which may contribute to the preparation of such submissions, to be available to Member States and to be posted on the web site of the Division for Ocean Affairs and the Law of the Sea, bearing in mind that an entry in the directory

would not imply official endorsement by the Secretariat of the United Nations of any such sources;

XI. Marine environment, marine resources and sustainable development

41. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures, directly or through competent international organizations, for the protection and preservation of the marine environment;

42. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, as a means of implementing the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities;[18]

43. *Also calls upon* States to advance the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the Montreal Declaration on the Protection of the Marine Environment from Land-based Activities,[19] to enhance maritime safety and the protection of the marine environment from pollution and other physical impacts, and to improve the scientific understanding and assessment of marine and coastal ecosystems as a fundamental basis for sound decision-making through the actions identified in the Plan of Implementation of the World Summit on Sustainable Development;[10]

44. *Invites* all relevant United Nations agencies to review individually their arrangements for collecting information and data relevant to the marine environment and for ensuring the quality of those data, using to the fullest possible extent what is available at the regional level, and to consider collectively how to ensure that the resulting information and data sets provide, within the constraints of existing resources, an acceptably consistent, coherent and comprehensive basis for international decision-making;

45. *Decides* to establish by 2004 a regular process under the United Nations for the global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments, and requests the Secretary-General, in close collaboration with Member States, relevant organizations and agencies and programmes of the United Nations system (United Nations Environment Programme, Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, Food and Agriculture Organization of the United Nations, International Maritime Organization, World Health Organization, International Atomic Energy Agency, World Meteorological Organization and Secretariat of the Convention on Biological Diversity), other competent intergovernmental organizations and relevant non-governmental organizations, to prepare proposals on modalities for a regular process for the global reporting and assessment of the state of the marine environment, drawing, inter alia, upon the work of the United Nations

[18] A/51/116, annex II.

[19] E/CN.17/2002/PC.2/15, annex, sect. 1.

Environment Programme pursuant to General Council decision 21/13, and taking into account the recently completed review by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, and to submit these proposals to the General Assembly at its fifty-eighth session for its consideration and decision, including on the convening of a possible intergovernmental meeting;

46. *Encourages* States to ratify or to accede to international agreements to prevent, reduce, control and eliminate pollution from ships, dumping, the carriage of hazardous and noxious substances, anti-fouling systems on ships and persistent organic pollutants, as well as agreements that provide for compensation for damage resulting from marine pollution;

47. *Welcomes* the decision of the International Maritime Organization to approve in principle the concept of a voluntary Model Audit Scheme as a means of enhancing the performance of member States in implementing appropriate conventions of the organization relating to maritime safety and the prevention of maritime pollution, and encourages the organization to continue to develop such a scheme;

48. *Notes with deep concern* the extremely serious damage of an environmental, social and economic nature brought about by oil spills as a result of recent maritime accidents which have affected several countries; and therefore calls upon all States and relevant international organizations to adopt all necessary and appropriate measures in accordance with international law to prevent catastrophes of this kind from occurring in the future;

49. *Invites* States to cooperate at the regional level to develop regionally shared goals and timetables in pursuance of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[18] including through regional seas conventions;

50. *Calls upon* States to take measures for the protection and preservation of coral reefs and to support international efforts in this regard, in particular the measures outlined in decision VI/3 adopted by the Conference of the Parties to the Convention on Biological Diversity at its sixth meeting, held at The Hague from 7 to 19 April 2002;[20]

51. *Also calls upon* States to develop national, regional and international programmes for halting the loss of marine biodiversity, in particular fragile ecosystems;

52. *Further calls upon* States to accelerate the development of measures to address the problem of invasive alien species in ballast water, and urges the International Maritime Organization to finalize the International Convention on the Control and Management of Ships' Ballast Water and Sediments;

53. *Calls upon* States to promote the conservation and management of the oceans in accordance with chapter 17 of Agenda 21 and other relevant international instruments, to develop and facilitate the use of diverse approaches and tools, including the ecosystem approach, the elimination of destructive fishing practices, the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012 and

[20] See UNEP/CBD/COP/6/20, annex I.

time/area closures for the protection of nursery grounds and periods, proper coastal and land use and watershed planning, and the integration of marine and coastal areas management into key sectors;

54. *Welcomes* the work of the Food and Agriculture Organization of the United Nations, which has special knowledge and expertise in various aspects of fisheries, in implementing the Code of Conduct for Responsible Fisheries,[21] for the conservation and management of fisheries resources;

55. *Urges* States to take all necessary steps to implement the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, adopted by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations, including through relevant regional and subregional fisheries management organizations and arrangements;

56. *Encourages* relevant international organizations, including the Food and Agriculture Organization of the United Nations, the International Hydrographic Organization, the International Maritime Organization, the International Seabed Authority, the United Nations Environment Programme, the World Meteorological Organization, the Secretariat of the Convention on Biological Diversity and the United Nations Secretariat (Division for Ocean Affairs and the Law of the Sea), with the assistance of regional and subregional fisheries organizations, to consider urgently ways to integrate and improve, on a scientific basis, the management of risks to marine biodiversity of seamounts and certain other underwater features within the framework of the Convention;

XII. Regional cooperation

57. *Emphasizes* the importance of regional organizations and arrangements for cooperation and coordination in integrated oceans management, and, where there are separate regional structures for different aspects of oceans management, such as environmental protection, fisheries management, navigation, scientific research and maritime delimitation, calls for those different structures, where appropriate, to work together for optimal cooperation and coordination;

58. *Takes note* of the Fund for Peace: Peaceful Settlement of Territorial Disputes established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and also takes note of the Caribbean-focused Trust Fund established by the Conference on Maritime Delimitation in the Caribbean, held in Mexico City from 6 to 8 May 2002, which is intended to facilitate, mainly as a conduit for technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, and calls upon States and others in a position to do so to contribute to these Funds;

59. *Takes note also* of the Pacific Islands Regional Ocean Policy approved at the thirty-third meeting of the Pacific Island Forum, held in Suva from 15 to 17 August 2002;[22]

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[21] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

[22] See A/57/331, annex, para. 23.

XIII. Open-ended informal consultative process on oceans and the law of the sea

60. *Reaffirms* its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea, welcomes the work of the Open-ended informal consultative process on oceans and the law of the sea ("the Consultative Process") over the past three years, notes the contribution of the Consultative Process to strengthening the General Assembly's annual debate on oceans and the law of the sea, and decides to continue with the Consultative Process for the next three years, in accordance with General Assembly resolution 54/33, with a further review of its effectiveness and utility at the sixtieth session;

61. *Requests* the Secretary-General to convene the meeting of the Consultative Process in New York from 2 to 6 June 2003, and to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in cooperation with other relevant parts of the Secretariat, including the Division for Sustainable Development of the Department of Economic and Social Affairs, as appropriate;

62. *Recommends* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its meeting, the Consultative Process organize its discussions around the following areas:

(a) Protecting vulnerable marine ecosystems;

(b) Safety of navigation; for example, capacity-building for the production of nautical charts;

as well as issues discussed at previous meetings;

XIV. Inter-agency coordination and cooperation

63. *Invites* the Secretary-General to establish an effective, transparent and regular inter-agency coordination mechanism on oceans and coastal issues within the United Nations system;

64. *Recommends* that this new mechanism should have a clear mandate and be established on the basis of principles of continuity, regularity and accountability, taking into account paragraph 49 of Part A of the report on the work of the Consultative Process at its third meeting;[6]

65. *Invites* Member States and, where appropriate, competent international organizations to identify focal points for the exchange of practical and administrative information concerning law of the sea and ocean issues with the United Nations Secretariat;

66. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, drawing their attention to paragraphs of particular relevance to them, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

67. *Invites* the competent international organizations, as well as funding institutions, to take specific account of the present resolution in their programmes and activities, and to contribute to the preparation of the comprehensive report of the Secretary-General on oceans and the law of the sea;

XV. Activities of the Division for Ocean Affairs and the Law of the Sea

68. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea,[5] prepared by the Division for Ocean Affairs and the Law of the Sea, as well as for the other activities of the Division, in accordance with the provisions of the Convention and the mandate set forth in resolutions 49/28, 52/26, 54/33 and 56/12;

69. *Requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure that appropriate resources are made available to the Division for Ocean Affairs and the Law of the Sea for the performance of such responsibilities under the approved budget for the Organization;

70. *Invites* Member States and others in a position to do so to support the training activities under the TRAIN-SEA-COAST Programme of the Division for Ocean Affairs and the Law of the Sea;

XVI. Trust funds and fellowship

71. *Recognizes* the importance of the trust funds established by the Secretary-General pursuant to General Assembly resolution 55/7 for the purpose of assisting States in the settlement of disputes through the Tribunal,[23] and of assisting developing countries, in particular the least developed countries and small island developing States, in the preparation of submissions to the Commission in compliance with article 76 of the Convention,[24] in defraying the cost of participation of Commission members in the meetings of the Commission,[25] and in attending the meetings of the Consultative Process,[26] as well as other trust funds[27] established for the purpose of assisting States in the implementation of the Convention, and invites States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to these trust funds;

72. *Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980;

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[23] See resolution 55/7, para. 9.

[24] Ibid., para. 18.

[25] Ibid., para. 20.

[26] Ibid., para. 45.

[27] These include the Trust Fund of the Authority for the participation of members from developing countries in meetings of the Legal and Technical Commission and the Finance Committee (ISBA/8/A/11).

XVII. Fifty-eighth session of the General Assembly

73. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to provide the report in accordance with the modalities set out in resolutions 49/28, 52/26 and 54/33, and also requests the Secretary-General to make the report available, in its current comprehensive format, at least six weeks in advance of the meeting of the Consultative Process;

74. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Oceans and the law of the sea".

United Nations A/57/L.48/Rev.1/Add.1

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Oceans and the law of the sea

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Dominica, Grenada, Honduras, Romania, South Africa, Suriname, the former Yugoslav Republic of Macedonia and Trinidad and Tobago

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